

#1

10/19/00  
09/692294  
PTO  
U.S.  
10/19/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hutchinson, et al.  
Serial No. : 08/747,033  
Filed : November 8, 1996  
For : APERIODIC ULTRASOUND PHASED ARRAY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT FILED  
PURSUANT TO THE DUTY OF DISCLOSURE  
UNDER 37 CFR §§1.56, 1.97 AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement is being/has been filed  
(check 1, 2, 3 and/or 4 below)

1. ☐ concurrently with the filing of the above-identified application.
2. ☒ within three months of the filing date of the above identified U.S. Patent application.
3. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.
4. ☐ before the mailing date of the first Office Action on the merits in the above-identified application.

No fee or certification is required.

B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of this first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(check 1 or 2 below)

1. ☐ The fee of \$220 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that  
(check a or b below)

- a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

(check a or b below)

1. Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
  - a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
  - b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign

Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A Petition requesting consideration of the Information Disclosure Statement is attached.
3. The Petition Fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

#### PART II - Information Cited

[X] A. Applicants hereby make of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

#### [ ] PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

#### PART IV: Remarks

Copies of the U.S. and foreign patent(s) and publication(s) indicated on the attached form PTO-1449 (modified) are enclosed. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more material information may not exist.

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

An early and favorable action is hereby requested.


Respectfully submitted,

By: 

David J. Powsner, Reg. No. 31,868  
CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
Boston, Massachusetts 02109  
(617) 248-5000

Docket No.: 092664-0004  
Dated: February 10, 1997

1-317915

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on 

Feb 10, 1997

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc825 U.S. PTO  
09/692294  
10/19/00

In re the Application of: Hutchinson et al

Serial No.: 08/747,033

Filed: November 8, 1996

For: APERIODIC ULTRASOUND PHASED  
ARRAY

Case No.: 0092664-0004

Examiner:

Group Art Unit: 3305

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date set forth below.

+2/19/97 12/3/97  
Date of Signature and  
Mail Deposit

David J. Powsner  
Reg. No. 31,868  
Attorney for Applicant

Supplemental Information Disclosure Statement

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 56 and 97 *et seq*, the Applicants cite the information on the accompanying form PTO 1449. The Applicants also enclose copies of the cited publications.

This Disclosure Statement is being filed under Rule 97(c), that is, before the mailing date of a final action or notice of allowance, whichever occurs first.


A fee as set forth in Rules 97(c)(2) and 17(p) is enclosed herewith.

The filing of this Statement shall not be construed as a representation that a search has been conducted, nor as an admission that the information cited herein is (or is considered to be) material to patentability, nor that the publication or information cited herein is prior art *per se*.

The Applicants understand no fees, apart from those referred to above, if any, are necessary in order to insure consideration of the information cited herein. If the Applicant's understanding in this regard is incorrect, please charge any such fees to Deposit Order Account 03-1721. For this purpose, a duplicate of this document is enclosed.

Respectfully Submitted,

Dated: 12/2/97 12/3/97

  
\_\_\_\_\_  
David J. Powsner  
Attorney for Applicants  
Reg. No. 31,868

CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
Boston, MA 02109  
Telephone: 617-248-4030  
Telefax: 617-248-4000

DS1.376578.1